



72 DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Curtis CLARKE et al.
Title: METHOD AND APPARATUS FOR FOLDING AN AIR
BAG FOR STOWING IN AN AIR BAG MODULE
Appl. No.: 10/598,252
Filing Date: 8/22/06
Examiner: Unassigned
Art Unit: Unassigned

RENEWED PETITION UNDER 37 C.F.R. § 1.47(a)

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Applicant hereby requests reconsideration of the Decision on Applicant's Petition under 37 C.F.R. § 1.47, which was mailed on November 8, 2007. In the Decision, the Patent Office refused to accept the application without the signatures of two joint inventors.

After the Decision was issued, the non-signing inventors were located and an executed declaration was obtained. Attached is a copy of a declaration executed by Humberto Hernandez and Andres Rojero.

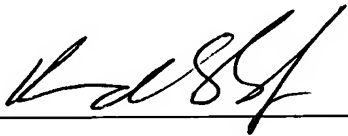
The Office noted on page 4 of the decision that a newly executed declaration by James Garvin would be required because the declaration executed by James Garvin was not acceptable. Attached is a newly executed declaration by James Garvin.

Accordingly, Applicant hereby petitions the Commissioner to accept the captioned application, in light of the attached declaration executed by the previously unavailable inventors and the newly executed declaration by James Garvin. Applicant respectfully submits that a petition under 37 C.F.R. § 1.47 is no longer necessary in light of the newly executed declarations.

The Office stated on page 4 of the Decision that no additional fee would be required for a reconsideration of Applicant's petition. However, should any fee be required the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 1/7/2008

By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5582
Facsimile: (202) 672-5399

Howard N. Shipley
Attorney for Applicant
Registration No. 39,370



Atty. Dkt. No. 044170-0340

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND APPARATUS FOR FOLDING AN AIR BAG FOR STOWING IN AN
AIR BAG MODULE

(Attorney Docket No. 044170-0340)

the specification of which (check one)

_____ is attached hereto.

 X was filed on 2/23/2005 as United States Application Number or
PCT International Application Number 10/598,252
(PCT/US2005/005915) and was amended on _____ (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear,

concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/546,876	2/23/2004

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the registered attorneys and agents at Customer Number

22428

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Michael D. Kaminski
FOLEY & LARDNER LLP
Customer Number: 22428

Telephone: (202) 672-5490
Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

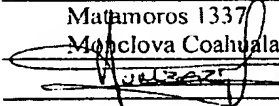
Name of first inventor	Curtis CLARKE
Residence	Grand Blanc, MI
Citizenship	US
Post Office Address	8372 Hunt Club Ct. Grand Blanc, MI 48439
Inventor's signature	
Date	

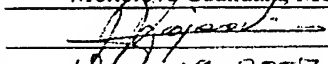
Name of second inventor	Axel CASTELLANOS
Residence	Monclova, Coahuala, Mexico
Citizenship	Mexican
Post Office Address	Victoria 1046 Monclova, Mexico 25750
Inventor's signature	
Date	

Name of third inventor	James GARVIN
Residence	San Antonio, Texas
Citizenship	US
Post Office Address	6900 San Pedro, # 147 San Antonio, Texas 75216
Inventor's signature	
Date	

Name of fourth inventor	Steven MOON
Residence	Schwartz Creek, Michigan
Citizenship	US
Post Office Address	7480 Rowe Ct. Schwartz Creek, MI 48473
Inventor's signature	
Date	

Name of fifth inventor	Paul WALSH
Residence	Waterford, MI
Citizenship	US
Post Office Address	3103 Pine Tree Ct. Waterford, MI 48329
Inventor's signature	
Date	

Name of sixth inventor	Humberto HERNANDEZ
Residence	Monclova, Coahuala, Mexico
Citizenship	Mexican
Post Office Address	Matamoros 1337 Monclova Coahuala, Mexico
Inventor's signature	x 
Date	x NOV 16, 2007

Name of seventh inventor	Andres ROJERO
Residence	Monclova, Coahuala, Mexico
Citizenship	Mexican
Post Office Address	Alonso de Leon 700 Monclova Coahuala, Mexico
Inventor's signature	x 
Date	x NOV. 19-2007



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD AND APPARATUS FOR FOLDING AN AIR BAG FOR STOWING IN AN
AIR BAG MODULE**

(Attorney Docket No. 044170-0340)

the specification of which (check one)

_____ is attached hereto.

 X was filed on 2/23/2005 as United States Application Number or
PCT International Application Number 10/598,252
(PCT/US2005/005915) and was amended on _____ (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear,

concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/546,876	2/23/2004

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the registered attorneys and agents at Customer Number

22428

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Michael D. Kaminski
FOLEY & LARDNER LLP
Customer Number: 22428

Telephone: (202) 672-5490

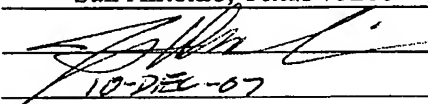
Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	Curtis CLARKE
Residence	Grand Blanc, MI
Citizenship	US
Post Office Address	8372 Hunt Club Ct. Grand Blanc, MI 48439
Inventor's signature	
Date	

Name of second inventor	Axel CASTELLANOS
Residence	Monclova, Coahuala, Mexico
Citizenship	Mexican
Post Office Address	Victoria 1046 Monclova, Mexico 25750
Inventor's signature	
Date	

Name of third inventor	James GARVIN
Residence	San Antonio, Texas
Citizenship	US
Post Office Address	6900 San Pedro, # 147 San Antonio, Texas 75216
Inventor's signature	
Date	10-DEC-07

Name of fourth inventor	Steven MOON
Residence	Schwartz Creek, Michigan
Citizenship	US
Post Office Address	7480 Rowe Ct. Schwartz Creek, MI 48473
Inventor's signature	
Date	

Name of fifth inventor	Paul WALSH
Residence	Waterford, MI
Citizenship	US
Post Office Address	3103 Pine Tree Ct. Waterford, MI 48329
Inventor's signature	
Date	

Name of sixth inventor	Humberto HERNANDEZ
Residence	Monclova, Coahuala, Mexico
Citizenship	Mexican
Post Office Address	Matamoros 1337 Monclova Coahuala, Mexico
Inventor's signature	
Date	

Name of seventh inventor	Andres ROJERO
Residence	Monclova, Coahuala, Mexico
Citizenship	Mexican
Post Office Address	Alonso de Leon 700 Monclova Coahuala, Mexico
Inventor's signature	
Date	